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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,120	08/22/2001	Todd Robert Colas	NOW0730	8373

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EXAMINER

RETTA, YEHDEGA

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,120

Applicant(s)

COLAS ET AL.

Examiner

Yehdega Retta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This office action is responsive to communication filed December 23, 2003. Claims 1-26 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 20, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashino U.S. Patent No. 6,166,716, in view of Lynn et al. U.S. Patent No. 6,606,740.

Regarding claims 1, 4, 20, 25 and 26, Kashino teaches company advertiser and ad publisher personnel roles to accomplish preparation of ads for publication wherein the ads are formatted for a least one ad delivery medium (see col. 8 line 48 to col. 9 line 28). Kashino teaches preparation and administration of ads for publication by said roles according to business rules (see fig. 7 and related columns). Kashino does not explicitly teach means for specifying the business rules to control preparation and administration of ads for publication and storing the rules and personnel roles in a database. Lynn teaches specifying customized business rules as required to fit enterprise environment (see Abstract) and database for storing business rules and roles performed according to the business rules (see col. 2 lines 5-55, col. 3 line 10 to col. 5 line 65, col. 6 lines 19-58, and col. 22 line 33 to col. 23 line 53). It would have been obvious to one

of ordinary skill in the art at the time of the invention to combine Kashino's publishing of ads and Lynn's software for creating business rules. One would be motivated implement Lynn's software to create business rules and Kashino's publishing of ads for the purpose of describing and controlling the structure, operation and strategy of the publication business.

Regarding claims 2 and 3, Lynn teaches wherein database is at least one of networked, distributed and replicated (see col. 21 lines 9-36).

Claims 5-19 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kashino U.S. Patent No. 6,166,716, in view of Lynn et al. U.S. Patent No. 6,606,740 and further in view of Johnson et al. U.S. Patent No. 6,453,302.

Regarding claims 5-19 and 21-24, Kashino, as modified, does not explicitly teach Ad Box default template defining a plurality of entries for each ad box instance or ad Master template defining a plurality of components for each master instance; the ad box default template and ad master template being defined by at least one of company advertiser or ad publisher being controlled by at least one of the plurality of business rules; storing the template (see col. 5 lines 33-67, col. 7 line 29 to col. 8 line 11) ... associated business rules; the business rule determining deadlines and attribute of entries for each ad box and ad master instances; creation, editing and storing of the ad templates and associated business rules, sending to publisher, setting and status ... (see col. 8 line 57 to col. 9 line 59). Johnson teaches a presentation generation system, which integrates customer specific information with a selling entity element to generate a presentation item for sale of product customized for a particular customer of the selling entity (see abstract). Johnson teaches templates used to develop a presentation item (ad) and templates used by the customer solution system to receive customer

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information and to generate a customer solution, templates such as programs, rules or instructions which perform the functions of ... (see col. 8 lines 43-56). Johnson teaches the template being used to generate customized presentation items, including presentation format templates indicating, the various information to be integrated to form a presentation item (ad). The presentation format template associated with rules defining, for example, the layout of a presentation item which implies that templates being controlled by associated business rules and being defined by at least one of company advertiser and ad publisher. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to modify Kashino's publication of ads by including Johnson's templates associated with and controlled by business rules in order to quickly and easily create the presentation (ad).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arledge, Jr. et al. U.S. Patent No. 6,535,294 teaches preparing customized printed products over a communications networks.

Ohmura et al. U. S. Patent No. 6,151,583 teaches workflow management method and apparatus.

Flight et al. U.S. Patent No. 6,662,199 teaches customized hosted applications.

Sparks et al. U.S. Patent No. 6,167,382 teaches design and production of print advertising and commercial display materials over the Internet.

Gannet Media Technologies International to Exhibit at Seybold New York/Exhibit to feature Celebro Advertising Solutions and Digital Collections Multimedia Management System April 16, 1997.

AdStar.com's Advertise123.com Classified Ad Portal Allows Advertisers to Target Top 10 Markets; Bernhard, Leslie; PR Newswire; New York; Feb 23, 2000.

Online classifieds providers beef up; Carl Sullivan, Editor & Publisher, New York, Feb 6, 1999, Vol. 132, Iss. 6; pg. 32.

Advertisers Can Now Target 150 Million buyers Through AdStar.com's Classified Ad Portal, Advertise123.com; PR Newswire, New York, Jun 1, 2000.

Celebro.com Real Estate Adds Newspaper and Specialty Publishing Clients; PR Newswire, New York: Jun 5, 2000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (703) 305-0436. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703) 305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yehdega Retta
Examiner
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